

PUBLIC HEARINGS
February 27, 2012

Public Hearings were held on Monday, **February 27, 2012**, at 7:44 p.m., in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, to solicit public comment, written or oral, on **Bills numbered 11-41; 11-45; 11-46; 11-47; 11-48; Lease of Land at Lower Berkeley WWTP to Coastal Biodiesel Group, Inc.; Lease of Land at BCWS Solid Waste Management Facility to BioEnergy Technologies of Berkeley Co., LLC.; Lease of Land at BCWS Solid Waste Management Facility to McGill Environmental Systems of NC, Inc. South Carolina Jobs-Economic Development Authority and Berkeley County regarding the issuance of its Solid Waste Disposal Facility Revenue Bonds not to exceed \$30,500,000.**

Present: Mr. Daniel W. Davis, Supervisor, Chairman; Mr. Steve C. Davis, Council Member District No. 8, Vice Chairman; Mr. Phillip Farley, Council Member District No. 1; Mr. Timothy Callanan, Council Member District No. 2; Mr. Robert O. Call, Jr., Council Member District No. 3; Mrs. Cathy S. Davis, Council Member District No. 4; Mr. Dennis Fish, Council Member District No. 5; Mr. Jack H. Schurlknight, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Ms. Nicole Scott Ewing, County Attorney; and Ms. Catherine Windham, Interim Clerk to Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Daniel Davis: "At this time I'd like to reconvene County Council for the purposes of Public Hearings as we do just about every month. We have Public Hearings on items for final reading on our agenda. So, I'd like to begin that process. As I call out each item we'd ask anyone that wishes to address Council to come to the podium. We ask that you state your name and address for the record and then we ask that you limit your comments as close as possible to three minutes so that we can get through all these timely. So, at this time I'd like to invite anyone who has, would like to address Council on Bill No. 11-41."

"BILL NO. 11-41, AN ORDINANCE TO AMEND CERTAIN SECTIONS OF ORDINANCE NO. 01-8-35, THE BERKELEY COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE, AS AMENDED, BY DELETING REFERENCES TO BORROW PITS AND CREATING CONDITIONS AND PROVISIONS FOR THE REGULATION OF MINES WITHIN THE FLEX-1, HI AND LI ZONING DISTRICTS."

Chairman Daniel Davis: "Is there any one here who wishes to address Council on Bill No. 11-41?"

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 7:45 p.m.

“BILL NO. 11-45, REQUEST BY AMY MURRAY FOR FRED HOLSEBERG, LOCATED AT 1880 N. MAIN ST., SUMMERVILLE, TMS #222-13-06-11 (4.40 +- ACRES) FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO GC, GENERAL COMMERCIAL DISTRICT AND THE PROPERTY DISTRICT IS LOCATED IN COUNCIL DISTRICT 4.”

Chairman Daniel Davis: “Is there anyone here who wishes to address Council on Bill No. 11-45?”

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 7:45 p.m.

County Attorney Ewing: “Mr. Chairman?”

Chairman Daniel Davis: “Yes?”

County Attorney Ewing: “Going back to Bill No. 11-41, that was originally scheduled to have third reading tonight. It has been pushed back to next month. So, we will have another Public Hearing next month if anybody wants to speak on that, at that time.”

Chairman Daniel Davis: “Ok.”

“BILL NO. 11-46, REQUEST BY GILES BRANCH FOR MARION’S RUN, LLC, LOCATED ON CLEMENTS FERRY ROAD ADJACENT TO LEGRAND BLVD., CHARLESTON, TMS #271-00-02-035 (17.05 +- ACRES) FROM R-4, MULTI-FAMILY SMALL SCALE DISTRICT TO R-5, MULTI-FAMILY LARGE SCALE DISTRICT. COUNCIL DISTRICT 8.”

Chairman Daniel Davis: “Is there anyone here who wishes to address Council on Bill No. 11-46?”

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 7:46 p.m.

Chairman Daniel Davis: “If not, we’ll move to....”

“BILL NO. 11-47, REQUEST BY MAXIE GADSDEN, LOCATED AT 3484 STEED CREEK ROAD, HUGER, TMS #202-00-00-012 (0.42 +- ACRES) FROM FLEX-1, AGRICULTURAL DISTRICT TO RNS, RURAL AND NEIGHBORHOOD COMMERCIAL DISTRICT. ALSO LOCATED IN COUNCIL DISTRICT 8.”

Chairman Daniel Davis: “Is there anyone here who wishes to address Council on Bill No. 11-47?”

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 7:47 p.m.

“LEASE OF APPROXIMATELY 0.25 ACRES OF LAND AT THE LOWER BERKELEY WWTP TO COASTAL BIODIESEL GROUP, INC.”

Chairman Daniel Davis: “Is there anyone here who wishes to address Council on the lease of a quarter of an acre property?”

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 7:47 p.m.

Chairman Daniel Davis: “Next is the public discussion on the...”

“LEASE OF APPROXIMATELY 38 ACRES OF LAND AT THE BCWS SOLID WASTE MANAGEMENT FACILITY TO BIOENERGY TECHNOLOGIES OF BERKELEY CO., LLC.”

Chairman Daniel Davis: “And just for information, I think most of you have been coming to the meetings. These are two companies now that will be located on the, on the landfill and will be using waste streams to convert to, actually, to up-cycle and we’re kind of excited about that. And this is, and finally another lease of...”

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 7:48 p.m.

“LEASE OF APPROXIMATELY 28 ACRES OF LAND AT THE BCWS SOLID WASTE MANAGEMENT FACILITY TO MCGILL ENVIRONMENTAL SYSTEMS OF NC, INC.”

Chairman Daniel Davis: “Is there anyone here who wishes to address Council on the lease of 28 acres of land?”

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 7:48 p.m.

Chairman Daniel Davis: “Ok with that, oh, I have one other, no actually, I have two others. We have an opportunity to comment on...”

“BILL 11-48, AMENDMENTS TO A WATER PURCHASE AND SUPPLY AGREEMENT WITH AN EFFECTIVE DATE OF NOVEMBER 1, 2007 BY AND BETWEEN BERKELEY COUNTY, SC AND THE LAKE MARION REGIONAL WATER AGENCY.”

Chairman Daniel Davis: “Is there anyone here who wishes to address Council on Bill No. 11-48?”

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 7:49 p.m.

Chairman Daniel Davis: “If not, then we have an opportunity to offer comments on...”

“SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY (“AUTHORITY”) AND BERKELEY COUNTY, SOUTH CAROLINA (“COUNTY”) REGARDING THE ISSUANCE BY THE AUTHORITY OF ITS SOLID WASTE DISPOSAL FACILITY REVENUE BONDS IN ONE OR MORE TAXABLE OR TAX-EXEMPT SERIES IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$30,500,000 (“BONDS”).”

Chairman Daniel Davis: “Is there anyone here who wishes to address Council on the issuance of these bonds?”

Chairman Daniel Davis asked if there were any public comments. There being none, the Public Hearing was declared ended at 7:49 p.m.

S/Catherine Windham
Interim Clerk to Council

March 26, 2012
Date Approved

AGENDA FOR PUBLIC HEARINGS BERKELEY COUNTY COUNCIL

BERKELEY COUNTY COUNCIL will hold a public hearing on **Monday, February 27, 2012, at 6:01 p.m.** or as soon thereafter as may be heard following any scheduled committee meetings and other public hearings, in the **Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner South Carolina**, to receive public comment, written or oral, in regard to the following:

CALL TO ORDER

1. **Bill No. 11-41, an ordinance to amend certain sections of Ordinance No. 01-8-35, the Berkeley County Zoning and Development Standards ordinance, as amended, by deleting references to borrow pits and creating conditions and provisions for the regulation of mines within the Flex-1, HI and LI Zoning Districts.**

PUBLIC DISCUSSION

2. **Bill No. 11-45, Request by Amy Murray for Fred Holseberg, located at 1880 N. Main St., Summerville, TMS #222-13-06-11 (4.40 +- Acres) from R-1, Single Family Residential District to GC, General commercial District. Council District 4.**

PUBLIC DISCUSSION

3. **Bill No. 11-46, Request by Giles Branch for Marion's Run, LLC, located on Clements Ferry Road adjacent to Legrand Blvd., Charleston, TMS #271-00-02-035 (17.05 +- Acres) from R-4, Multi-Family Small Scale District to R-5, Multi-Family Large Scale District. Council District 8**

PUBLIC DISCUSSION

4. **Bill No. 11-47, Request by Maxie Gadsden, located at 3484 Steed Creek Road, Huger, TMS #202-00-00-012 (0.42 +- Acres) from Flex-1, Agricultural district to RNS, Rural and Neighborhood commercial District. Council District 8**

PUBLIC DISCUSSION

5. **Lease of approximately 0.25 acres of land at the Lower Berkeley WWTP to Coastal Biodiesel Group, Inc..**

PUBLIC DISCUSSION

6. **Lease of approximately 38 acres of land at the BCWS Solid Waste Management Facility to Bioenergy Technologies of Berkeley Co., LLC..**

PUBLIC DISCUSSION

7. **Lease of approximately 28 acres of land at the BCWS Solid Waste Management Facility to McGill Environmental Systems of NC, Inc.**

February 27, 2012
S/Catherine R. Windham
Interim Clerk of County Council

AGENDA FOR PUBLIC HEARING BERKELEY COUNTY COUNCIL

BERKELEY COUNTY COUNCIL will hold a **Public Hearing** on **Monday, February 27, 2012, at 6:03 p. m.**, or as soon thereafter as may be heard following other Public Hearings, in the Assembly Room, **Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, S.C.**, to receive public comment, written or oral, on **Bill 11-48**, to discuss certain proposed amendments (the “Amendments”) to a **Water Purchase and Supply Agreement** with an effective date of November 1, 2007 (the “Agreement”), by and between Berkeley County, South Carolina (the “County”) and the **Lake Marion Regional Water Agency** (the “Agency”).

PUBLIC DISCUSSION

ADJOURNMENT

February 22, 2012
S/Catherine R. Windham
Interim Clerk of County Council

AGENDA FOR PUBLIC HEARINGS BERKELEY COUNTY COUNCIL

BERKELEY COUNTY COUNCIL will hold a public hearing on **Monday, February 27, 2012, at 6:01 p.m.** or as soon thereafter as may be heard following any scheduled committee meetings and other public hearings, in the **Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner South Carolina**, to receive public comment, written or oral, regarding the **South Carolina Jobs-Economic Development Authority** (“Authority”) and Berkeley County, South Carolina (“County”) regarding the issuance by the Authority of its **Solid Waste Disposal Facility Revenue Bonds** in one or more taxable or tax-exempt series in a maximum aggregate principal amount not to exceed \$30,500,000 (“Bonds”).

PUBLIC DISCUSSION

ADJOURNMENT

February 22, 2012
S/Catherine R. Windham
Interim Clerk of County Council